

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**PEDIBRUSH, LLC,**

*Plaintiff*

v.

**CATALOG SOLUTIONS, INC., et al.,**

*Defendants*

**NO. 2:17-cv-05000-JDW**

**ORDER**

AND NOW, this 17<sup>th</sup> day of September, 2019, following a pretrial conference with counsel for the Parties, it is **ORDERED** that Plaintiff's claims against Defendants Winning Solutions, Inc. and Jess Clark, III are hereby **DISMISSED WITHOUT PREJUDICE** pursuant to Federal Rule of Civil Procedure 41(a)(2) and by agreement of the Parties.

Further, pursuant to Federal Rule of Civil Procedure 16 and Local Rule of Civil Procedure 16.1(b), it is hereby **ORDERED** as follows:

1. The Parties shall conduct any depositions on jurisdiction by October 4, 2019;
2. Defendants' may renew their motion to dismiss on or before **October 11, 2019**;
3. Plaintiff's response shall be filed by **October 31, 2019**;
4. Any request for a protective order or approval of a confidentiality agreement must

be made by motion. The Court will not accept stipulated proposed Orders in lieu of a motion. All such motions must satisfy the requirements of *In re Avandia Mktg., Sales Practices & Prod. Liab. Litig.*, No. 18-2259, --- F.3d ----, 2019 WL 2119630, \*4 (3d Cir. May 15, 2019) and *Pansy v. Borough of Stroudsberg*, 23 F.3d 772, 786 (3d Cir. 1994);

5. Counsel for all Parties shall refer to Judge Wolson's Policies and Procedures regarding all matters of discovery and correspondence with the Court; and

6. This case is referred to Magistrate Judge Elizabeth T. Hey for purposes of conducting settlement proceedings, as Judge Hey deems appropriate. Within fourteen (14) days of this Order, the Parties shall jointly contact Judge Hey's chambers at chambers\_of\_magistrate\_judge\_elizabeth\_hey@paed.uscourts.gov to report either (1) they agree on the general time frame for a settlement conference with proposed dates, or (2) they wish to speak with Judge Hey before identifying a time frame for a settlement conference. The Parties shall update Judge Wolson on the status of settlement discussions no later than thirty (30) days before the close of discovery.

**BY THE COURT:**

*/s/ Joshua D. Wolson*  
JOSHUA D. WOLSON, J.